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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HARDEE, JOHN R.

ART UNIT PAPER NUMBER

1751

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/642,766

Applicant(s)

WENG, CHUAN

Examiner

John R. Hardee

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-26 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-26, drawn to compositions containing R14, classified in class 252, subclass 67.
 - II. Claims 1-26, drawn to compositions not containing R14, classified in class 252, subclass 67.

The inventions are distinct, each from the other because of the following reasons: The inventions are separately patentable. Disclosure of one of the inventions would not anticipate or make obvious the other invention.

Having chosen one of the two inventions above, further restriction is required:

- III. Claims 1-26, drawn to compositions containing R50, classified in class 252, subclass 67.
- IV. Claims 1-26, drawn to compositions not containing R50, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

- V. Claims 1-26, drawn to compositions containing R134a, classified in class 252, subclass 67.
- VI. Claims 1-26, drawn to compositions not containing R134a, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

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VII. Claims 1-26, drawn to compositions containing R152a, classified in class 252, subclass 67.

VIII. Claims 1-26, drawn to compositions not containing R152a, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

IX. Claims 1-26, drawn to compositions containing R290, classified in class 252, subclass 67.

X. Claims 1-26, drawn to compositions not containing R290, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XI. Claims 1-26, drawn to compositions containing R236ea, classified in class 252, subclass 67.

XII. Claims 1-26, drawn to compositions not containing R236ea, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XIII. Claims 1-26, drawn to compositions containing R245ca, classified in class 252, subclass 67.

XIV. Claims 1-26, drawn to compositions not containing R245ca, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XV. Claims 1-26, drawn to compositions containing R245fa, classified in class 252, subclass 67.

XVI. Claims 1-26, drawn to compositions not containing R245fa, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XVII. Claims 1-26, drawn to compositions containing R23, classified in class 252, subclass 67.

XVIII. Claims 1-26, drawn to compositions not containing R23, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XIX. Claims 1-26, drawn to compositions containing R116, classified in class 252, subclass 67.

XX. Claims 1-26, drawn to compositions not containing R116, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXI. Claims 1-26, drawn to compositions containing R170, classified in class 252, subclass 67.

XXII. Claims 1-26, drawn to compositions not containing R170, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXIII. Claims 1-26, drawn to compositions containing R508a, classified in class 252, subclass 67.

XXIV. Claims 1-26, drawn to compositions not containing R508a, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

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Having chosen one of the two inventions above, further restriction is required:

XXV. Claims 1-26, drawn to compositions containing R508b, classified in class 252, subclass 67.

XXVI. Claims 1-26, drawn to compositions not containing R508b, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXVII. Claims 1-26, drawn to compositions containing R1150, classified in class 252, subclass 67.

XXVIII. Claims 1-26, drawn to compositions not containing R1150, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXIX. Claims 1-26, drawn to compositions containing R227ea, classified in class 252, subclass 67.

XXX. Claims 1-26, drawn to compositions not containing R227ea, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXXI. Claims 1-26, drawn to compositions containing R236fa, classified in class 252, subclass 67.

XXXII. Claims 1-26, drawn to compositions not containing R236fa, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

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XXXIII. Claims 1-26, drawn to compositions containing RC318, classified in class 252, subclass 67.

XXXIV. Claims 1-26, drawn to compositions not containing RC318, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXXV. Claims 1-26, drawn to compositions containing R600, classified in class 252, subclass 67.

XXXVI. Claims 1-26, drawn to compositions not containing R600, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

Having chosen one of the two inventions above, further restriction is required:

XXXVII. Claims 1-26, drawn to compositions containing R600a, classified in class 252, subclass 67.

XXXVIII. Claims 1-26, drawn to compositions not containing R600a, classified in class 252, subclass 67. The inventions are distinct for the reasons given above.

2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

3. Because the restriction is relatively complex, no telephone restriction was attempted.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner, Dr. John R. Hardee, whose telephone number is (571) 272-1318. The examiner can normally be reached on Monday through Friday from 8:00 until 4:30. In the event that the examiner is not available, his supervisor, Dr. Yogendra Gupta, may be reached at (571) 272-1316.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Hardee
Primary Examiner
October 14, 2004